GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Suits - Prohibition & Excise – Disciplinary action initiated under Rule 20 of APCS (CC&A) rules 1991 against Sri K. Prakash Rao Proh and Excise Inspector, Krishna District (now retired) - Entrusted to Commissioner of Inquiries – orders of Hon'ble APAT dated 06.11.2014 in OA No 7917/2013 – Implemented – orders – Issued.

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REVENUE (VIGILANCE.IV) DEPARTMENT

G.O.RT.No. 1300 **Dated: 22-12-2015**
Read the following

1) From the D.G., A.C.B., Hyd Lr. No 57/RCO-VKI/2012 dated 06.11.2012.
2) Govt. Memo No 49988/Vig.V/2012 dated 23.08.2013.
3) G.O Rt. No 265 Rev (Vig.V) Dept., dated 25.02.2014.
4) Explanation of Sri K. Prakash Rao AP&ES (Retd) dated 02.04.2014.
5) Orders of Hon'ble APAT in OA No 7917/2013 dated 06.11.2014.
6) G.O Rt. No 295 Rev (Vig.III) Dept., dated 24.04.2015.
7) From G.A (COI.P) Dept, U.O Note No 61/COI.P/2015 dated 23.09.2015.
8) Govt. Memo No 49988/Vig.IV.2/2012 dated 24.09.2015.
9) Orders of Hon'ble APAT in CA No 254/2015 & 2362/2013 in OA No 7917/2013 dated 10.12.2015.
10) Representation of Sri K. Prakash Rao AP&ES (Retd) dated 14.12.2014.

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In the reference 1st read above, the Director General, Anti Corruption Bureau has furnished report on the allegations of Prohibition & Excise Officers involved in the liquor syndicate cases of Krishna District including Sri K. Prakash Rao former P&E Inspector, Mandavalli (now retired). The Director General, Anti Corruption Bureau has recommended to entrust the case of Sri K. Prakasa Rao, (AO-8) to Tribunal for Disciplinary proceedings. Government have examined the matter and observed that since the AO-8 Sri K. Prakasa Rao, former P&E Inspector, Mandavalli has retired from service on 31.05.2013, have entrusted his case to Commissioner of Inquires instead of TDP and requested the D.G., A.C.B., to furnish the draft Article of Charges to the Government vide reference 2nd read above.

2. In the reference 3rd read above, Government have framed Article of charges against Sri. K. Prakasa Rao, AP&ES (Retd) calling for his explanation. In the reference 4th read above, Sri K. Prakasa Rao AP&ES (Retd) has submitted his written statement of defence and denied the charges with a request to exonerate him from the charge.

3. Sri K. Prakasa Rao APES (Retd) has approached the APAT, Hyderabad and filed OA No 7917/2013. In the reference 5th read above, the Hon'ble A.P.A.T. in its final orders dt. 6-11-2014 has ordered as follows.

> "Therefore, the respondents are directed to complete the disciplinary proceedings initiated against the applicant vide G.O.Ms.No.265, dt. 25-2-2014, within a period of three months from the date of receipt of a copy of this order and pass appropriate orders on conclusion of the disciplinary proceedings within the said time of three months, failing which the respondents shall release all the pensionary benefits to the applicant.

4. In reference 6th read above, Government have entrusted the case to Dr.Premchand, IAS (Retd), COI, for conducting detailed inquiry into the charges framed against Sri K.Prakasa Rao, P&E Inspector (Retd) and (8) other P&E officials. In the reference 7th read above, the Commissioner of Enquiries has reported that there are other (8) similar cases are pending before the COI, wherein inquiries have to be conducted and a final report of inquiry is to be submitted to different departments of Government. The COI has also requested the Govt. to take further extension of time in the APAT, for concluding the case. In the reference 8th read above, Government have requested the Government Pleader, A.P.A.T. to apprise the above facts before the Hon'ble Tribunal to obtain long adjournment of the case.

(P.T.O)

5. Sri K. Prakasa Rao has filed Contempt Application No 254/2015 for not implementing the order of APAT in OA No 7917/2013 dated 06.11.2014. In the reference 9th read above the Hon'ble APAT in its orders dated **10-12-2015** in CA.No. 254/2015 & 2362/2013 in OA No 7917/2013 has ordered as follows.

> "The directions of the Tribunal are very clear and categorical. The OA was disposed off in November, 2014. It is almost one year since the OA was disposed off and the applicant was already retired from service
>
> In view of the above, MA for extension of time is dismissed. The respondents are directed to comply with the orders passed by this tribunal".

6. In the reference 10th read above, Sri K.Prakasa Rao, AP&ES (Retd), while enclosing the orders of Hon'ble APAT dated 10-12-2015 in CA.No. 254/2015 & 2362/2013 in OA No 7917/2013 has requested the Government to implement the orders of the Hon'ble APAT., and to release all of his pensionary benefits.

7. Government after careful examination of the matter, and keeping in view of the orders of Hon'ble APAT in CA.No. 254/2015 & 2362/2013 in OA No 7917/2013 dated 10.12.2015 and also request of Sri K. Prakasa Rao AP&ES (Retd) have decided to implement the orders of Hon'ble APAT dated 06.11.2014 in OA No 7917/2013 and to release the pension and pensionary benefits of Sri K. Prakasa Rao AP&ES (Retd) subject to outcome of the disciplinary case pending against him.

8. Accordingly, Government hereby order to implement the orders of Hon'ble APAT dated 06.11.2014 in OA No 7917/2013 and to release the pension and pensionary benefits of Sri K. Prakasa Rao AP&ES (Retd) subject to outcome of the disciplinary case pending against him.

9. The Commissioner of Prohibition and Excise shall take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri K. Prakasa Rao AP&ES (Retd)
H. No 5-100, Dondapadu Village, Pedavegi Mandal, West Godavari District.

The Commissioner of Prohibition and Excise, A.P., Hyderabad

Copy to:

The Director General, Anti Corruption Bureau, A.P., Hyderabad
The Secretary to APVC, Hyderabad
The G.A (COI.P) Dept., A.P., Secretariat, Hyderabad
The Government Pleader, APAT, Hyderabad w.r.t CA No 254/2015 dated 10.12.2015
The Accountant General, A.P., Hyderabad.
The District Treasuries Officer, W.G., District.
The Director of Treasuries and Accounts, A.P., Hyderabad.
The file

// FORWARDED BY ORDER //

SECTION OFFICER